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PART III.

Legislative Measures and Rules thereunder.

REGULATION No. IX OF 1917.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

A Regulation to amend the Law relating to Government and other Provident Funds.

Whereas it is expedient to amend the law relating to Government and other Provident Funds; His Highness the Maharaja is pleased to enact as follows :—

Title, extent and commencement.

1. (1) This Regulation may be called the Provident Funds Regulation, 1916.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Definitions.

2. In this Regulation,

(1) "Provident Fund" means a fund in which the subscriptions or deposits of any class or classes of employees are received and held on their individual accounts, and includes any contributions credited in respect of, and any interest accruing on, such subscriptions, or deposits under the rules of the Fund :

(2) "Government Provident Fund" means a Provident Fund constituted by the authority of Government for any class or classes of its employees :

(3) "Compulsory deposit" means a subscription or deposit which is not repayable on the demand, or at the option of the subscriber or depositor and

includes any contribution which may have been credited in respect of, and any interest or increment which may have accrued on, such subscriptions or deposit under the rules of the Fund.

Payment from Government on death of subscriber or depositor.

3. When a subscriber to, or depositor in, any Government Provident Fund, dies, the officer or person whose duty it is to make payment of such sum may pay it,

(*a*) to any person entitled to receive it according to the rules of the Fund, or, in the absence of any rule of the Fund to the contrary, to any person nominated in writing by the subscriber or depositor to receive it, and registered in the office of the Fund during his life time,

(*b*) in default of any such person as aforesaid, to the person who produces a succession certificate or probate or letters of administration obtained under the law in force claiming to be entitled to receive such sum, provided that where the sum payable does not exceed one thousand rupees, payment may be made to such person whom the officer or the person making the payment after reasonable enquiry finds to be entitled to receive it.

Protection to deposits and other sums in certain cases.

4. (1) Compulsory deposits in any Government Provident Fund shall not be liable to attachment under any decree or order of a Court of Justice in respect of any debt or liability incurred by a subscriber to, or depositor in, any such Fund and a Receiver appointed under the Mysore Insolvency Regulation, 1911, shall not be entitled to, or have any claim on, any such compulsory deposit.

(2) Any sum standing to the credit of any subscriber to, or depositor in, any such Fund at the time of his decease and payable under the rules of the Fund or under this Regulation, to the widow or the children, or partly to the widow and partly to the children, of the subscriber or depositor, or to such person as may be authorised by law to receive payment on her or their behalf, shall vest in the widow or the children, or partly in the widow and partly in the children as the case may be, free from any debt or other liability incurred by the deceased, or incurred by the widow or by the children, or by any one or more of them, before the death of such subscriber or depositor.

Protection for anything done in good faith under this Regulation.

5. No suit or other legal proceeding shall lie against any person in respect of anything done or in good faith intended to be done in pursuance of the provisions of this Regulation.

Power to extend Regulation to other Provident Funds.

6. Government may, in its discretion, by notification in the official Gazette, extend the provisions of this Regulation to any Provident Fund established for the benefit of its employees by any Company which administers a Railway or Tramway in Mysore under contract with Government or for employees under a local authority, or for any employees in any aided Educational Institution or in a Muzrai Institution as defined in the Mysore Muzrai Regulation, VI of 1913, or in any company registered according to law.

M. VISVESVARAYA,
Dewan.

REGULATION No. X OF 1916.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

The Regulation to amend the Mysore Tramways Regulation, 1906.

Whereas it is expedient to amend the Mysore Tramways Regulation, 1906; His Highness the Maharaja is pleased to enact as follows:—

Addition of a new section after Section 47.

"After Section 47 of the Regulation the following new section shall be inserted as Section 47A:

Special provision in regard to tramways constructed by Government.

47A. (1) Notwithstanding anything contained in this Regulation, it shall be lawful for the Government at any time—

(*a*) to construct a tramway within any area to be worked by steam or other mechanical or electrical power;

(*b*) to retain the management and maintenance of any such tramway, or to entrust the same in whole or in part to any agency it thinks fit, or to resume the same from such agency;

(*c*) to prescribe, by notification in the official Gazette, rules having the force of law, for the proper management and maintenance of any such tramway and for the regulation of all matters and things connected therewith, and to affix a penalty not exceeding two hundred rupees for the infringement of any such rule.

(2) The provisions of the preceding sections of this Regulation shall not apply to any such tramway as is mentioned in sub-section (1) except to the extent, if any, to which the same may be applied by Government from time to time, by notification published in the official Gazette, and subject to such modifications, if any, as may be directed in such notification."

M. VISVESVARAYA,
Dewan.

REGULATION No. XI OF 1916.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

(A Regulation to amend the Mysore Land Acquisition Regulation, 1894.)

Whereas it is expedient to amend the Mysore Land Acquisition Regulation, 1894; His Highness the Maharaja is pleased to enact as follows:—

Amendment of sub-section (*c*) of Section 3.

In sub-section (*c*) of Section 3 of the Regulation the words "the Assistant Commissioner in charge of a Revenue Sub-Division and" shall be inserted after the word "includes."

M. VISVESVARAYA,
Dewan.

REGULATION No. XII OF 1916.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

A Regulation to amend the Tank Panchayet Regulation.

Whereas it is expedient to amend the Tank Panchayet Regulation, 1911; His Highness the Maharaja is pleased to enact as follows:—

Amendment of sub-section (2) of Section 2.

1. In sub-section (2) of Section 2 of the Regulation for the words "not less than Rs. 300 and shall also include," the words "more than Rs. 300 and includes" shall be substituted.

Amendment of paragraphs (1) and (2) of Section 16.

2. For Section 16, paragraphs (1) and (2) the following section shall be substituted:—

"16 (1) With the approval of a majority of not less than two-thirds of the raiyats, and holding in the aggregate not less than half the occupied area of wet lands under the tank, a Tank Panchayet may undertake the construction, restoration, or improvement as the case may be, of a minor tank, under the rules framed by Government in this behalf.

3. For the figure "(3)" in sub-section (3) of Section 16, the figure "(2)" shall be substituted.

M. VISVESVARAYA,
Dewan.

REGULATION No. XIII OF 1916.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

The Minor Tank Restoration Regulation.

Whereas it is expedient to facilitate the working of the schemes for the restoration and improvement of minor tanks; His Highness the Maharaja is pleased to enact as follows:—

Title, extent and commencement.

1. (1) This Regulation may be called the Minor Tank Restoration Regulation, 1916.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Minor tank.

2. Every tank which falls within the definition of a minor tank contained in Section 2 of the Tank Panchayet Regulation, I of 1911, shall be a minor tank within the purview of this Regulation.

Agreement of holders of two-thirds area to be binding on the others.

3. Where the holders of not less than two-thirds of the area of irrigable lands under an existing minor tank agree to pay a share of the cost of restoration or improvement according to rules framed by Government in this behalf, such agreement shall be binding on the occupants of all such irrigable lands, provided that such agreement has been recorded before a Revenue Officer not lower in rank than a Deputy Amildar.

Appeal.

4. At any time within thirty days from the date of the notification of the agreement published in the village, application may be made to the Deputy Commissioner objecting to the agreement on the ground of some irregularity, mistake or fraud in recording it. On the expiration of thirty days from the date of publication in the village, if no such application is received or if such application is made and rejected the Deputy Commissioner shall make an order confirming the agreement and his order shall be final.

Recovery of dues.

5. Any amount due under this agreement shall be leviable as an arrear of land revenue.

M. VISVESVARAYA,
Dewan.

NOTIFICATION.

No. J. 2279—Pris. 18-16-5, *dated Bangalore, the 23rd December* 1916.

In exercise of the powers conferred by Section 62 of the Mysore Lunacy Regulation 1916, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules and to direct their publication in the Gazette for general information.

1. There shall ordinarily be two non-official visitors to the Lunatic Asylum at Bangalore.

2. A non-official visitor shall be appointed for a period of two years and shall be eligible for re-appointment on the expiry of his term of office.

3. (1) It is the duty of the official and non-official visitors appointed under Section 25 (1) of the Lunacy Regulation to visit the Asylum in rotation at such

intervals that the monthly inspection prescribed by Section 26 of the Regulation may be carried out and the orders of discharge prescribed by Section 28 passed.

(2) The officer in charge of the Asylum will maintain a roster of the visitors to the Asylum and will give reasonable notice to each visitor of the date on which his visitation falls due. The number of visitors to whom such intimation is given for any one month's visit shall not be less than three. If, on receiving such intimation, a visitor is unable for good reason to attend the visitation, he shall give sufficient notice to the officer in charge of the Asylum. The latter shall then give notice to another visitor unless the number of visitors whose attendance is already arranged for is not less than three.

4. Save in exceptional circumstances visitors shall not inspect the Asylum on Sundays or after 5 P.M.

5. All orders of Government relating to the management of the Asylum shall be laid before the Board of visitors at their monthly meeting, together with the remarks of any individual visitors who may have visited the Asylum since the previous meeting.

6. The officer in charge of the Asylum shall forward monthly a copy of the proceedings of the visitors to the Senior Surgeon in order that he may have an opportunity of expressing his opinion on any question raised therein.

7. In addition to the monthly inspection, a visitor may, subject to the limitation in Rule 4, at any time visit the Asylum and may see all inmates, visit all wards, cells and yards, and call for and examine all books, papers and records. At the close of every visit, the visitor shall record in the visitor's book the date and hour of his visit and any remarks and suggestions he may wish to make; and the officer in charge of the Asylum shall first place such remarks and suggestions before the Board of Visitors at their following monthly visits and then forward copies of such record to the Senior Surgeon who will have the benefit of the Board's views before passing his own orders.

8. A copy of any orders passed by the Senior Surgeon on the visitor's remarks shall be communicated to the visitor concerned.

9. No visitor may issue any order or instruction to a member of the Asylum staff; nor may he accept any written communication from a patient for delivery to any person outside the Asylum or from any such person for delivery to a patient within the Asylum.

10. In all cases in which the discharge or removal of a patient, whether a criminal lunatic or otherwise, is contemplated, the visitors shall associate the officer in charge of the Asylum with themselves at the examination of the patient and shall append that officer's written opinion to any statement which the rules required to be prepared as to the mental and physical condition of the patient and his fitness to travel if a journey is to be undertaken.

By Order,

D. M. NARASINGA RAO,

Secretary to Government,

General Department.